

REMARKS

Summary of the Office Action

Claims 1-5 stand rejected under 35 U.S.C § 103(a) as being unpatentable over Hayashi et al. (JP-409102568A) over Zengerle (DE 3436545).

Claims 6-10 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Hayashi et al. and Zengerle as applied to claim 1, and further in view of Miyake (U.S. Patent No. 4,791,634).

Summary of the Response to the Office Action

Claims 1-10 have been canceled without prejudice or disclaimer. New claims 11-23 have been added. Accordingly, claims 11-23 are presently pending for consideration.

All Claims Define Allowable Subject Matter

Claims 1-5 stand rejected under 35 U.S.C § 103(a) as being unpatentable over Hayashi et al. (JP-409102568A) over Zengerle (DE 3436545). Claims 6-10 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Hayashi et al. and Zengerle as applied to claim 1, and further in view of Miyake (U.S. Patent No. 4,791,634). Applicants submit that the 35 U.S.C. § 103 rejections of claims 1-10 are moot since claims 1-10 have been cancelled without prejudice or disclaimer. Further, Applicants respectfully submit that none of the prior art references of record teach or suggest, either singly or in combination, all of the features recited in new independent

claims 11 and 17. For example, none of the prior art references of record teach or suggest, either singly or in combination, any claimed combination comprising a first copper plate electrically contacting the first surface of a semiconductor laser device and a second copper plate electrically contacting the surface of a planar heat sink member such that the semiconductor laser device performs emission by application of a predetermined voltage between the first and second copper plates. In another example, none of the prior art references of record teach or suggest, either singly or in combination, any claimed combination comprising a heat sink including a first planar member with a first groove, a second planar member with a second groove and partition between the first and second planar members in which the partition has a hole for communicating between first and second spaces that are respectively defined by first and second grooves with respect to a face of the partition.

Accordingly, Applicants respectfully assert that the rejections under 35 U.S.C. §103 should be withdrawn because none of the prior art references of record, either singly or in combination, teach or suggest all of the features of new independent claims 11 and 17. Applicants also respectfully assert that new dependent claims 12-16 and 17-23 are allowable at least because of their respective dependence on new independent claims 11 and 17, and for the additional features that they recite.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached pages are captioned **“Version with markings to show changes made.”**

CONCLUSION

In view of the foregoing, Applicants respectfully request reconsideration and the timely allowance of the pending claims. Should the Examiner feel that there are any issues outstanding after consideration of the response, the Examiner is invited to contact the Applicants' undersigned representative to expedite prosecution.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

Claims 1-10 has been canceled without prejudice or disclaimer.

Claims 11-23 have been added.